[श्री एच०के०एल० भगत]

एडल्टेशन में पकड़ी जाए तो उसका प्रचार रेडियो और दूरदर्शन के माध्यम से होना चाहिये ताकि लोगों को पता लगे। इस पर हम विचार कर रहे हैं। इस तरह से बहुत से पाइंट आपने कहे हैं जिन में जाना है। यह नहीं कि मैं उन से एग्री नहीं करता हूं, यह बात अलग है कि मन्त्री हूं लेकिन मैं जमीन पर रहने वाला कार्यकर्ता हूं। लेकिन मैं जमीन में पोजीशन क्या है इसको समझता हूं। हम आप सब मिलेंगे और जनता का सहयोग लेंगे तब इसेंशियल कमोडिटीज एक्ट का अच्छा इम्पलीमेंटेशन हो सकता है और डिस्ट्रिब्यूशन सिस्टम भी इम्प्रूव हो सकता है ऐसा मैं मानता हूं। मुझे खुशी है कि आपने सबने इस बिल पर इस कानून पर पूरी सहमति प्रकट की है। चीनी के मामले में यह तो मानते हैं कि 85 लाख टन चीनी इस साल हो रही है पहले से ज्यादा हो रही है इसलिए चीनी के मामले में बहुत ज्यादा दिक्कत हमें उम्मीद है कि नहीं होगी। मैं समझता हूं कि ड्रूट की इस सिचुएशन में डिफीकल्ट सिचुएशन में ड्रूट के बारे में ठोस कदम उठाये गये हैं, जुबानी जमाखर्च नहीं है और इस ड्रूट का डटकर मुकाबला करेंगे। जिन लोगों का, आपका सबका सहयोग मिलेगा तो बहुत ही अच्छा काम होगा।

(व्यवधान) एक सवाल कह लूं कि आप जरूर दीजिए। एक सवाल पूछा गया था कि कितने स्पेशल कोर्ट्स हैं मेरा ध्यान नहीं रहा, मैं बता रहा हूं **(व्यवधान)** जो एक सवाल का जवाब दिया था तो 87 की फिगर मेरे पास पड़ी नहीं हैं कन्वेक्शन दिये 13-5-88 को। उसके बाद सिचुएशन चेंज हुई है कहीं कोर्ट्स कम हुई हैं कहीं बढ़ गई हैं। अलग जिलों की कोर्ट्स को जो रिकमेंडेशन दी गई है उसके डिस्ट्रिक्ट की ओर 13-5-85 में 134 स्पेशल कोर्ट्स थीं, राज्यवार ब्यौरा मेरे पास है। नेटेस्ट पोजीशन मैं मालूम करूंगा, लोक सभा में यह पूछा गया था और पूछने के बाद आपको बता दूंगा। अगर मेम्बर चाहेंगे तो मैं उनको बताऊंगा।

SHRI VIRENDRA VERMA (Uttar Pradesh): May I tell the Minister, your legislation is very good, but the need of the hour is its proper and effective implementation. Kindly ensure it if you can.

श्री एच० के० एल० भगत : मैं आपसे सहमत हूं और आपकी तो सलाहें दी हुई मैंने कई मानी हैं। बोलिए मानी हैं कि नहीं मानी हैं। सुधार हुआ कि नहीं हुआ। आपके कहने से बहुत सी बातें मानी गयी हैं।

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): I will now put the motion. The question is:

"That the Bill to continue the Essential Commodities (Special Provisions) Act, 1981, for a further period, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): We shall now take up clause-by-clause consideration of the Bill.

Clauses 2 and 3 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI H. K. L. BHAGAT: Sir, I move: "That the Bill be passed."

The question was put and the motion was adopted.

THE CINE-WORKERS WELFARE FUND (AMENDMENT) BILL, 1987

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI AJIT PANJA): Sir, I move:

"That the Bill to amend the Cine-workers Welfare Fund Act, 1981, as passed by the Lok Sabha, be taken into consideration."

Sir, the administration of the cine-workers welfare fund, 1981, and there were two such enactments, which required certain changes and from Information Minist

that has been given to the Labour Ministry on April 1, 1986. When it came there, an exercise took place in the Ministry regarding certain amendments required for the purpose of giving benefit to the workers. And one such amendment is coming up today and this is the Bill which I have brought, in which there are three provisions mainly to be taken into consideration by this House for the purpose of making it an Act.

The first one, Sir, is that the ceiling limit which we found that so far as bidi workers are concerned or other workers in mines like dolomite and others are concerned, the ceiling of pay for coverage was Rs. 1600 per month. But here we found that the ceiling was at Rs. 1000 per month. Thereby a large number of workers would not come within the purview of this Act. So, the first proposal is to amend section 2(b)(ii) to raise the ceiling limit from Rs. 1000 to Rs. 1600. So far as the lumpsum payment is concerned, the amendment proposed is that from Rs. 5,000 it should be brought up to Rs. 8,000 so that large number of workers could come within the purview of the Act and get the benefit of this welfare fund.

Secondly, we propose to amend section 4(1) (c) of the Cine Workers Welfare Fund Act because it transpires that family welfare activities were not being included within this. There was an international conference, a conference of International Labour Organisation, a tripartite seminar on compatibility of labour laws with national policy of population and moderation, held in 1984 wherein it transpired that certain benefits shall have to be included within the family welfare, and thereby we propose the amendment so that the fund which will come in this welfare Fund, could also be utilised for the purposes of family welfare including family planning, education and other allied services.

Third one is section 6(2) of the Act. We found that the number is limited to 11 for the purpose of having the Central Advisory Committee. Now, keeping in view tripartism, that is, employer, employee and the Government representative, we found on examining other similar Acts that Acts with similar provisions exist where there is no limit to the tripartite representation of Government, of the employer as well as the employee. Therefore, we propose to amend this not to limit to the number of 11 only but to give it an opportunity in such a manner that there is involvement of more people who will participate on the Advisory Committee.

These are the three points on which this amendment is brought and I am sure that when this amendment comes into force and the Bill becomes an Act, this will go a long way in improving the entire administration, particularly bringing in cine workers within the fold of the mainstream of other workers of similar category so that those who are engaged in giving entertainment to the people at large are also not neglected and they are given from the welfare fund.

With these words, I commend that this may be taken into consideration.

The question was proposed.

SHRI SUKOMAL SEN (West Bengal): This is a very small amendment Bill and there is no question of opposing it. But taking advantage of this amendment Bill, I would like to dwell on some salient points on the condition of cine workers. In our country, the film industry seems to be a very glittering industry outwardly, but inwardly it is not so because the cine workers who are involved in it, whether in the production stage or distribution stage or exhibition stage, suffer from many handicaps and their service conditions are miserable. Of course, the limitation of this Bill is quite understandable. It is only about cine workers' welfare fund. But in our country, there are about 12,000 cinema houses and every year a few hundred feature films are produced. I am not sure, but perhaps about 25 lakh of people are engaged in this industry in various forms, whether as technicians or musicians or directors or workers or in the distribution or exhibition system. A huge number is involved. This Bill relates to cine workers. I feel it relates to cine workers who are related to production stage. But I don't know

[Shri Sukomal Sen]

what is in Minister's mind about cine workers, whether they are in the distribution side or exhibition side. I think, 60 per cent of workers are in the distribution and exhibition side. Their condition is more miserable than those who are in the production side. First of all, this Bill says that the ceiling will be raised from Rs. 1,000 to Rs. 1,600 to bring them on par with the other workers, in the dolomite and other mines etc. It is good. But I would say that Rs. 1600/- is not a sufficient amount. It is not an adequate amount. As you know, the prices are raising. Salaries in the case of workers in other industries are being raised under pressure of the labour movement, under pressure of the movement of the workers. What is the position in other labour laws? Of course, the hon. Minister is in charge of Information and Broadcasting. He is not dealing with Labour. But what is the position in other labour laws? Take, for example, the Payment of Gratuity Act. Rs. 2,500/- is the limit provided therein to enable a worker to earn his gratuity. Here, it is only Rs. 1600/-. I suggest that it should be raised from Rs. 1600/- to Rs. 2500/-. As far as the lumpsum payment is concerned, here, as per the amendment, it is Rs. 8,000/- from Rs. 5,000/-, it is being increased to Rs. 8,000/-. My suggestion is that it should be Rs. 12,000/-.

In regard to the advisory committee, the amendment is "such number of members as may be appointed". The number is 11 now. I think—I am subject to correction even among these 11, 3 are from the Government side. But I feel that this should not be kept so flexible. When you say "such number of members as may be appointed". It may be less than 11 or more than 11. It should be more than 11 here. If we are really interested in the welfare of the cine-workers, if we want to cover the entire workforce, if we want that there should be a fruitful discussion in the advisory committee, my suggestion is that instead of keeping it so flexible, a minimum number should be fixed. It may be 15, 21, 31; whatever it is; but a minimum number should be fixed. It can be flexible to the extent that it can be expanded; the number can be increased. That way, it can be flexible. But at the same time, I would suggest that as far as the Government nominees are concerned, it should not be more than the existing number. If the existing number is three ,it should not be more than the existing number and the rest should be from the representatives of the cine-workers. The advisory committee should be constituted in this way.

Another point is, I do not know how much amount has been collected in the Cine-Workers Welfare Fund so far. For example, how much has been collected during last year, 1986? We also do not know how much has been distributed among the cine-workers. It has been reported that only a meagre amount has so far been collected in this Fund and out of this a still meagre amount has been distributed among the cine-workers. If this Fund remains on paper only, it cannot benefit the cine-workers. Therefore, I would like to know, what are the sources for raising the Fund, how much has been contributed by the Government, so that it becomes really a fruitful Fund which can render effective help to the cine-workers. This point may be clarified by the hon. Minister.

My last point is about the workers in the exhibition side. They have to work till midnight. The last show ends at about 12.30 p.m. For doing this hazardous job, they are not given any additional benefit. Most of the cinema houses treat the workers like domestic servants. Their service condition is really miserable. They have no job security. For the hazardous job they are doing till midnight, they do not get any compensation in the real sense of the term. I suggest that the Government should bring forward some sort of a law in regard to all the cine-workers, in the cinema houses as well as in other places, which will ensure some job security for them and security when they retire from the job.

In regard to the insurance scheme, it should cover the entire workforce so that, after retirement, they get some benefit. Now, in the film industry, as the hon. Minister knows very well, even artistes, particularly, the side artistes when they grow old or retire from films, they are left as destitutes only. They cannot save money. They are used to luxurious life The top stars may be able to lead a good

life after retirement from films, but poor cine workers are leading a life of a destitute. So, some sort of insurance should be there for them.

These are some of my suggestions. The hon. Minister is aware that our cine industry is always facing a tough time. Video parlours are there, television is there. So, the industry is facing a great hardship. To energise the cine industry, to save the workers of this industry and to make the life of its workers a little comfortable, I feel the Government should come forward with a comprehensive Bill.

SHRI V. NARAYANASAMY (Pondicherry): Mr. Vice-Chairman, Sir, thank you for having given me this opportunity to speak on this Cine-Workers Welfare Fund (Amendment) Bill, 1987. Sir, this is a welfare measure. The Bill comprises of three amendments as already narrated by the hon. Minister. I would focus only four points as the previous hon. speaker has done. In south, especially in Bombay, Andhra Pradesh, Karnataka and Tamil Nadu cine field is dominating nearly 75 per cent of the rural or the urban population because the persons living particularly in rural areas have no other easy entertainment than cinema. Therefore, this has been considered as a vital field in the rural life. Sir, there has been increase in cinema theatres, in production theatres and in the distribution agencies during all these years, but the plight of the workers, who have been employed in this industry has not been taken care of by the producers. The workers have been employed at the willo and pleasure of the employers. There are no set guidelines or rules for the purpose of employing persons. Even the persons who are employed as light boys are children, below the age of 18 years. They are not paid adequate wages. The Cine-workers Welfare Fund Act was passed as early as in 1981 but there are a lot of lacunae in the Act. 50 per cent of the workers, whether they are light boys or musicians or script writers, are below the age of 18 years. Now the definition of a cine-worker as given in clause 2(b) of the principal Act is as under:

"(b) Cine-worker means an individual—

(i) who hae been employed, directly or through any contractor or in any other manner, in or in connection with the production of not less than five feature films to work as an artiste (including actor, musician or dancer) or to do any work, skilled, unskilled, manual, supervisory, technical, artistic or otherwise;"

I would like to know who will check whether the person has worked in the production of five feature films, or the persons who are working there are minors. Who is to take care of them? Therefore, Sir, the latter part of the provision made in clause 2 of the Bill is a very good proposal. It says that the remuneration of these persons is to be increased from one thousand rupees to one thousand and six hundred rupees. Though this amendment should have come a little earlier, it gives us great pleasure because the workers are getting benefit. Still I fell that the amount of Rs. 1600 which has been fixed is a little low. I congratulate the hon. Minister for having come with this amendment, increasing the amount from Rs. 1000 to Rs. 1600.

Secondly, the persons who are employed here are temporary and those persons have not been given the benefit. Who is to be considered as a permanent employee? I feel there should be coordination between the Information and Broadcasting Ministry and the Labour Ministry for the purpose of protecting the interests of the employees.

Another amendment which is sought to be brought here is relating to family welfare and family planning, education and services. It is a very good proposal which seeks to cover a wider area. I welcome this amendment for the reason that it takes care of the family and children of cine workers. I would, however, like to seek one clarification from the hon. Minister. How will these benefits be

[Shri V. Narayanasamy]

given? Will these be given through the Labour Ministry? ESI hospitals are there for family planning and also for improving the health of the family of the cine worker. I would like to know whether it will be given through the ESI hospitals or any other machinery is being utilised from the Health Ministry.

Thirdly, coming to representation to the three categories, nominees from the producers, workers and the Central Government will be there because a Tripartite Committee is to be set up for the purpose of providing them benefits. A question was put by my hon. friend that earlier there were to be 11 persons, but now no number has been given. Now the purpose of bringing this amendment is to give equal representation to the three categories—whether it is three or six or twelve. Equally all the three categories will be covered and they will be fully represented. Therefore this amendment is a welcome measure.

Lastly, I would like to say that in protecting the interests of cine workers—whether on the production side or distribution side or exhibition side—a lot of things have to be done because these persons have to work till 12.30 or 1 o'clock in the night. They have to be given due protection and health facilities.

With these words, I conclude. I congratulate the Minister for bringing this welfare measure. Thank you.

SHRI V. RAMANATHAN (Tamil Nadu): Thank you very much, Sir, for the opportunity given. Cine industry is a very big industry. It is giving employment opportunities to lakhs and lakhs of people. By the by the Government is earning a lot of money through it by way of taxes and all that. When a cine production goes abroad, it gives foreign exchange. Also the industry is getting a lot. Though lakhs and lakhs of people are employed in the industry, only a very few people are able to earn lakhs and lakhs of rupees as well as dollars and they are leading a very luxurious life. But thousnds of people are suffering a lot. Of those who are helping, a very few go to the top. So thousands of those at the bottom without any facilities are suffering a lot for their livelihood. Therefore the legislation which is being brought for the help of the cine workers is a welcome feature. But one more suggestion I want to make about the two amendments in sections 3 and 4. I welcome the two amendments. As far as section 2 is concerned, raising the amount from Rs. 1000 to 1600 is not sufficient. It may be given in the range of Rs. 3,000 and 12,000 because Rs. 1,600 is a very meagre amount. The ceiling may be kept at Rs. 3,000, Rs. 12,000. Like that it should be increased and it should be made to cover more number of workers also.

For helping the poor workers they are collecting a cess also. But it is a very small amount which is not sufficient to help all the workers who are working in this industry. The cess can be increased.

Apart from increasing the cess, you can get a lot of money from those people who are earning several lakhs of rupees, in black or white. Whatever it is, try to find out the black money and try to get the entire black money in order to help the poor people. You should try to tap the rich people, those who are earning lakhs and crores of rupees, whether inside the country or outside, try to get the money and help the poor people who are working and suffering in this industry—those who are making the industry flourish and are also helping the Government earn foreign exchange also.

With these few words, Sir, I thank you for the opportunity given to me.

SHRI GOPALA RAO RAO (Andhra Pradesh): Mr. Vice-Chairman, Sir, I congratulate the honourable Labour Minister for his sincere and good efforts in bringing this most welcome Bill for the benefit of several lakh cine workers in the country. Even though the Cine Workers Welfare Fund Act, 1981 is in existence, it is fruitless and it is not benefiting the cine workers and has not yielded any good results.

cine industry is serving this coun- forty years with so many good es such as unity and integrity of ntry, entry of Harijans into tem- d discouraging parochiahsm and ist tendencies. The cinema indus- a major contributor to our financial conomic system: it pays thousands es of rupees by way of taxes. lm industry is also trying to dis- selfish politicians from attempts ng about communal and religious cts. It is a joint platform of fine s to propagate humanity, decent poli- s, purposeful education, etc.

Sir, I request the honourable Minister to implement the provisions of the Bill with immediate effect, after making some reasonable and suitable amendments, to save the starving workers of the film industry. I feel it my duty, as one among them, as a technician and as an artiste, to put forward some suggestions for the welfare of cine workers.

Sir, I differ from the definition given to "cine workers" as the term is not adequately specified. Moreover, it is better to include welfare measures for ex-cine workers, old cine workers, in the Bill. It is a strange phenomenon in the film idustry that once a worker joins the industry, he will not and does not leave it and he would die serving the industry to the last. The cine workers dedicate their services to the industry and to the country.

Sir, the problems of the cine workers are nation-wide problems. About 24 categories of cine workers are at present in the film industry. They are: cine actor/ actress, director, cameraman, sound engineers, make-up artists, musicians, production executives, production assistants, production boys, art assistants, light boys, assistant directors, singers, dubbing artistes, junior artistes, dance masters, dance assistants, stunt assistants, fighters, costumers, costume assistants, publicity incharges, writers, transport workers and drivers. Ninety per cent of them do not have work ound the year. Only from four to six onths they work in the industry. While are working they are able to feed their families and, when they are out of work, they face severe financial and other problems. Moreover, the film industry is located in cities with high cost of living and there is a lot of outdoor shooting at distant places like hills, rivers, forests and other places where even food is not available. Hence I request the honourable Labour Minister to increase the minimum wages from Rs. 1,600 to Rs. 2,000.

In the present Bill there are no specific welfare measures for the benefit of the cine workers' families. I request the honourable Minister to introduce reservation for the children of cine workers, at least three per cent of the seats in all educational institutions and universities. I also request the honourable Minister to extend scholarship facilities to the children of cine workers. In the proposed Bill it is not mentioned clearly about the medical facilities being provided to the cine workers and their families. Most of the cine workers at present are unorganised labour, and I suggest the Minister to get them under the category of organised labour and to extend the E.S.I. facilities to all the workers. Particularly, the stunt masters and dupe artistes risk their lives to make the scenes natural. In the process, they meet with accidents and become handicapped. Hence, I request the Minister to provide maximum medical facilities and financial assistance to those involved in such accidents. They should all be insured compulsorily.

As the housing problem is very important, I request the Minister to allot some house-sites and houses to cine workers and to provide financial assistance to construct houses.

Labour unrest will create severe problems for the very existence of the industry. So, before constituting the Advisory Committee to advise the Central Government, I request the Ministry to consult various film personalities and experts in the film industry.

I also request the hon. Minister to conduct a survey regarding the number of cine workers at present in the country and

(Shri Gopala Rao Rao)

their living conditions. Such a survey is essential to define the problem and execute all the welfare measures. I request the hon. Minister to consider providing of pension facilities for old and disabled cine workers.

I thank you for giving me this opportunity. **Thank you.**

श्री रघुवंश प्रसाद यादव (बिहार) : उपसभाध्यक्ष महोदय, मंत्री जी यह जो विधेयक छोटा सा उपयोगी लाये हैं इसमें मंत्री जी को जो कुछ और लाना चाहिए था वह नहीं लाये। सिनेमा कर्मकार में दो तरह के कर्मकार होते हैं। एक तो जहां पर सिनेमा का उत्पादन होता है, तैयार किया जाता है वहां के लगभग हमारे कई मित्रों ने 24 प्रकार के नाम गिनाये हैं, मैं समझता हूं 24 नहीं 100 प्रकार के कर्मकार होंगे। लेकिन अधिकांश उसमें ठेकेदारी पर होते हैं यानी 6 महीने के लिए, 9 महीने के लिए या एक महीने के लिए अथवा दो महीने के लिए, ये टेम्पोरेरी होते हैं। टेम्पोरेरी में चाहे वह कलाकार हो या कर्मकार हों उनको जो सुविधा का ब्यौरा दिया है वह सुविधा का ब्यौरा तो जो परमानेंट नेचर के काम करने वाले हैं उस को आप देंगे लेकिन जो ठेकेदारी पर हैं टेम्पोरेरी पर हैं उनको आप कैसे देंगे यह मैं जानना चाहता हूं? कानून की परिधि को इतना विस्तार बना दीजिए कि उसमें सब लोग कवर हो सकें। हर जगह कम्पनी एक्ट बना हुआ है, खादान एक्ट बना हुआ है उसमें टेम्पोरेरी और परमानेंट दोनों के लिए बना हुआ है। जहां सिनेमा का उत्पादन होता है वहां पर जो टेम्पोरेरी हैं उनको कैसे कवर करेंगे एक तो मैं यह जानकारी चाहता हूं। दूसरे जहां सिनेमा दिखाया जाता है वहां पर भी एक विचित्र स्थिति है एक-दो को छोड़ कर अधिकतर लोग वहां अस्थायी होते है। उनकी नौकरी शो का ठेकेदार पर रहती है। जब मन चाहा उनको निकाल दिया जब मन चाहा उनको रख लिया। ऐसे लोगों पर आपकी कल्याणकारी निधि का क्या काम होगा उनके लिए उपयोग में आयेगा यह भी बता दीजिए। जब तक इसकी परिधि में सभी प्रकार के कर्मकारों को नहीं घेरा जायेगा तब तक इसका कैसे कल्याण होगा यह बता दीजिए।

दूसरी बात मैं यह कहना चाहता जहां सिनेमा का उत्पादन होता जहां सिनेमा दिखाया जाता अब एक दूसरी सिनेमा देखने को विकसित हो गई है जिसको वीडियो हैं। देहातों में भी इसका प्रचार हो है। जहां एक दो हजार आदमी वीडि देखते हैं वहां उसमें चार-पांच आद काम भी करते हैं। उन कर्मचारियों के विषय में अभी तक कुछ नहीं सोचा गया है। विज्ञान के विकास के साथ-साथ तरह तरह की चीजें समाज में आ रही हैं और उनमें तरह तरह के लोग काम करते हैं। इन लोगों को भी कानून की परिधि में लाना चाहिए। मैं चाहता हूं कि आप इन कर्मचारियों का भी इस प्रकार के कानून में समावेश करें। कैसे इन कर्मचारियों की बहाली होगी, कैसे उनको स्थायी बनाया जाएगा, इन सब बातों के बारे में सोचा जाना चाहिए। इस प्रकार की नौकरियों के लिए कोई विधि-विधान इस विधेयक में नहीं हैं।

दूसरी बात मैं यह कहना चाहता हूं कि जो सिनेमा का टिकट दिया जाता है उसमें कुछ हिस्सा केन्द्रीय सरकार का होता है और कुछ हिस्सा राज्य सरकार का होता है। इन्टरटेन टेक्स और सेल्स टेक्स के रूप में टेक्स लिया जाता है। मैं यह जानना चाहता हूं कि केन्द्रीय सरकार के पास जो हिस्सा आता है, क्या उस हिस्से में से आप इन कर्मचारियों के लिए कोई काम करते हैं या इस फण्ड में उसमें से कुछ हिस्सा दिया जाएगा? आपने यहां नहीं, किसी अन्य स्थान पर, कहा है कि इन कर्मचारियों के लिए मकानों की व्यवस्था की जाएगी, इनके लिए कर्ज की व्यवस्था होगी, इनको स्कालरशिप दिया जाएगा, मैं जानना चाहता हूं कि इसके लिए आपने अब तक क्या व्यवस्था की है? क्या आप

इन लोगों के लिए मकान बनाये हैं, इनको स्कालरशिप दिये हैं? सबसे बड़ी बात यह है कि हमारे सिनेमा-हॉलों में जो कर्मचारी काम करते हैं उनके इस फण्ड से कैसे लाभ मिलेगा, यह आपने नहीं बताया है। मैं एक दो बातें और कहना चाहूंगा। क्या आपने अब तक बनाये गये कानूनों का कोई मूल्यांकन किया है? वास्तव में जो भी कानून बनते हैं उन कानूनों का हमारे मजदूरों को लाभ मिलता है या नहीं। मैं चाहता हूं कि आप अपने कानूनों का मूल्यांकन करें। मैं जानता हूं कि कई अच्छे कानून भी बनाये गये हैं। अगर सरकार की व्यवस्था ठीक नहीं है तो कानून का लाभ गरीबों को नहीं मिल सकता है। कानून का एक्जीक्यूशन कैसे हो, यह ज्यादा महत्वपूर्ण है। जब तक आप इस प्रकार की व्यवस्था नहीं करेंगे, कार्यान्वयन की समुचित व्यवस्था नहीं करेंगे तब तक मजदूरों को कोई फायदा होने वाला नहीं है।

अंतिम बात कह कर मैं अपनी बात समाप्त करता हूं। सिनेमा में बड़े बड़े हीरो हो गये। उनकी स्थिति तो दूसरी है, लेकिन जो महिलाएं हैं, लड़कें हैं या बच्चे हैं, उनकी बड़ी भयावह स्थिति है। मैं जानना चाहता हूं कि इस पर अंकुश लगाने के सम्बन्ध में क्या आपने कोई विचार किया है। समाज में सिनेमा की विकराल स्थिति बनती जा रही है। महिलाओं और बच्चों की रक्षा के लिए आपने क्या किया है? मैं आपको धन्यवाद देता हूं कि आपने एक अच्छी चीज लाने की कोशिश की है और गरीबों के आंसू पोंछने की कोशिश की है। लेकिन एक बात की तरफ आपका ध्यान दिलाना चाहता हूं कि इन्टरटेनमेन्ट के नाम पर सिनेमा पर अंकुश लगाने के संबंध में क्या आपने कोई मार्गदर्शन किया है? आज आवश्यकता इस बात की है कि हमारे देश में सिनेमा का मार्गदर्शन किया जाय ताकि अच्छे उदाहरण समाज के सामने पेश किये जा सकें। मुझे आशा है कि आप इस विधेयक के द्वारा देश में जो नैतिक गिरावट आई है उसको सुधारने की तरफ भी ध्यान देंगे।

6 P.M.

SHRI AJIT PANJA: Sir, I fully agree with the feelings and sentiments expressed by the hon. Members that more is required to be done so far as Cine-Workers are concerned. I have not stated in my speech not that is the purpose or the object of that that this is what is possible or everything has been given by this amendment. Sir, the step which has been proposed and which appears from the statement of objects and reasons is to bring the Cine workers at par with others similarly situated on equal footing. There are four Acts under which this welfare fund is in operation. Mica Mines Labour Welfare Fund Act 1946, Limestone Dolomite Mines Labour Welfare Fund Act 1972, Iron Ore, Managanese Ore and Chrome Ore Mines Labour Welfare Fund Act 1976 and Beedi Workers Welfare Fund Act 1976. So, it was thought by the Government first to bring the Cine workers at par with them when their welfare fund is being exercised within certain parameters and the same would be brought so far as Cine workers are concerned and that is why, these amendments are being made to bring it at par with them. The hon. Members suggested that it should not be Rs. 1600 but it should be more. But, at present, under those other Acts, it is remaining at Rs. 16.00 but Cine worker has remained at Rs. 1,000. So, we wanted to bring them on equal footing with others and so far as the question of whether it should be Rs. 2500 or Rs. 3,000 is concerned, those are the exercises which are required to be made later on. Firstly, we wanted to bring this social legislation, the beneficial legislation as quickly as possible to the benefit of the cine workers. Sir, so far as what has been given uptill now is concerned, immediately this was transferred from the Information and Broadcasting Ministry to the Labour Department in April, 1986. This discussion took place as to how the benefit is to be given. It was identified that under other welfare funds there are 11 hospitals and 213 dispensaries, which have been directed to give the same benefit which were being given by the other welfare fund covering other workers, to the cine workers. So, immediately, the workers, who are nearby to

(Shri Ajit Panja)

these 11 hospitals and 213 dispensaries in the country will get the benefit. Secondly, the Information and Broadcasting Department has allotted Rs. 2,43,000 for the purpose of giving scholarship. So, this will go for giving scholarships to the cine workers' children so that good children of the cine workers who have not got the proper fund to study and will get the fund to study and will get the benefit of the scholarship as it has been done in the case of Beedi Workers Fund and the Dolomite Workers Fund where such scholarships have been given to their children. Besides this, I find that Rs. 22 lakhs and 41 thousand (Rs. 22,41,000) have been directed to be transferred to the Pay and Accounts officer of the Information and Broadcasting Department for the benefit of the cine workers so that this can be utilised for the benefit as envisaged under the scheme of the Act and as proposed. In addition to this, there was a co-production of the film "Gandhi" in which there was an agreement that the benefit visualised with the ideology and the vision of Gandhiji will be given to the poor and the weak; a sum of Rs. 103 lakhs has already been obtained as contribution from this film and this is going straight for the benefit of the cine workers so that is could go for their benefit for various social measures. (*Interruptions*). Those details have not yet been worked out but the equal benefit, as it is being given for Beedi workers and Dolomite workers, whatever the provisions are there, is to be followed and the idea is to bring it at par with them. I do not know whether housing is there or not and for that matter, I have to look into the Acts of those workers and whatever benefits are there in those four Acts. Those benefits will also go to the cine worker. But it has come very recently in the hands of the Labour Department.

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): I think in this House the Bill is there.

SHRI AJIT PANJA: Then it will automaticlly come. Besides this, the main earning is from the Cess. In the case of beedi, cess is on the number of beedis produced. In the case of other minerals, Cess is on the export quantity. Here, the Cess is one thousand rupees per film for which the Human Resource Department gives the Censor Certificate. The Minister of Labour has taken up the matter with the Human Resource Minister so that the Cess could be increased and it is under discussion and we have every hope, as only one thousand rupees is not enough and it should be increased, we will be able to succeed and there will be a lot of earning from Cess which is a continuous earning in respect of each of the films which is certified by the Central Selection Board. An hon. Member wanted to know from which sources these are coming. These are the sources. But, Sir, uptill now, I am very sorry to say, it has not gone in and it is a new subject-matter taken up. Quick steps are taken so that it goes in for the benefit of the cine workers as it has gone in respect of others.

An hon. Member said that there are minors working and it should be checked. So far as that is concerned, there are other Acts which come into operation for the protection to the minors. So far as theatres are concerned, there is a special Act. As you know Sir, it is the Cinema Theatre Employees (Regulation Employment) Act, 1984. That will govern the position. Guidelines will certainly be framed as soon as the Bill comes through. There will be checks, balances and guidelines for the rule-making power. The Government will not have unbridled power. But, it will have powers which are controlled by various checks and balances. Sir, so far as the expenditure is concerned, I find that in 1986-87 Rs. 1,00,400 has been given as scholarship for the people who are children of the workers here. As I said, the Labour Department has taken it up very recently and the moment the funds are released, it will come into operation like other Acts.

I have covered points raised by hon. Members regarding Cess and medical and scholarship aid. Then, so far as temporary workers, casual workers, are concerned, they are covered by other separate Acts. This Act does not cover everything of

that. But this is brought in so far as the Welfare Fund distribution is concerned. It also relates to how the Welfare Fund is to be operated.

Then Video workers have been mentioned by some hon. Members.

श्री जगदम्बी प्रसाद यादव : डिस्ट्रीब्यूशन आफ फण्डज में स्कालरशिप का एक लाख दिया लेकिन हाऊसिंग का नहीं दिया और किसी चीज का नहीं देते हैं आप ।

SHRI AJIT PANJA: As I said, the Labour Department has taken up this very recently. We will be earning and as soon as the funds are released, they will go on like all the other four Acts. The whole pith and substance of this amendment is to bring cine workers at par so far as the utilisation of the Welfare Fund is concerned. As far as temporary workers, casual workers, child workers are concerned, there are different Acts to take steps under. So far as video workers are concerned, an hon. Member suggested that we should now think how to protect them. I have noted this important point because video parlours are increasing in number and the Government should be ready to see that the workers are not exploited.

With these words, I submit that the amendment suggested may be withdrawn and this Bill may be passed.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): The question is:

"That the Bill to amend the Cine-workers Welfare Fund Act, 1981, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): We shall now take up the clause-by-clause consideration of the Bill.

Clauses 2 to 4 were added to the Bill

Clause 1, the Enacting Formula and the Title were added to the Bill

SHRI AJIT PANJA: Sir, I move:

"That the Bill be passed."

The question was proposed

श्री जगदम्बी प्रसाद यादव : मेरा एक व्यवस्था का प्रश्न है । हमारे माननीय मंत्री जी ने कहा है रिक्वेस्ट करने में कि अमेंडमेंट जो है उसको विदड्रा कर लिया जाये, बिल में तो अमेंडमेंट दिया है और अमेंडमेंट देने वाले वही हैं फिर उन्होंने कहा विदड्रा कर लीजिए ?

उपसभाध्यक्ष (श्री हेच० हनुमनतप्पा) : अगर हो तो ।

SHRI AJIT PANJA: I made it clear then. Mr. Singh said that this should be amended. That is why I said that.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Mr. Ram Awadhesh Singh, would you like to speak? Please take only two minutes.

श्री राम अवधेश सिंह (बिहार) : उपसभाध्यक्ष महोदय, मैं इतना कहना चाहता हूं कि बिल अच्छा है लेकिन अधूरा है । बिल अच्छे उद्देश्य से लाया गया है इसमें संदेह नहीं है इसलिए सरकार को इसके लिए बधाई देनी चाहिए लेकिन अधूरा है । मैं समझता हूं कि एक कम्प्रीहेंसिव बिल लाना चाहिए जिसमें सिनेमा में जो काम करते हैं जिधर यादव जी ने इशारा किया है कि जो ठेकेदार के वर्कर होते हैं, काम करते हैं या टेम्पोरेरी होते हैं उनके बारे में कुछ नहीं कहा गया है जो सबसे खटकने वाली बात है । जो संशोधन इसमें लाया गया है धारा 4 में जो संशोधन मांगा गया है "इन्कलूडिंग फेमिली वेल्फेयर, फेमिली प्लानिंग, एजुकेशन एण्ड सर्विस" यह इतना बेग है कि इसकी कोई परिभाषा नहीं है । सर्विसेज की क्या क्या परिभाषा हो सकती है । इसकी तो बहुत व्यापक परिभाषा हो सकती है । एजुकेशन में क्या देंगे । बच्चे को एजुकेशन मैट्रिक तक देंगे, फ्री देंगे कैसी देंगे, आई० ए० तक देंगे, बी०ए० या एम०ए० तक देंगे तो एजुकेशन के

[श्री राम अवधेश सिंह]

बारे में कुछ बात नहीं कही गयी है। उसी तरह से फेमिली प्लानिंग के बारे में है। फेमिली वेलफेयर की सीमा कहां तक जाती है कोई इसमें स्पष्ट बात नहीं है। सरकार को इस बारे में सब स्पष्ट करना चाहिए अपना मत कि हम इसस क्या मतलब रखते हैं, फेमिली वेलफेयर से क्या मतलब है। यह तो बिल्कुल रबड़ की तरह से फेमिली वेलफेयर को बढ़ाना चाहें तो बढ़ा सकते हैं। लेकिन यह बिल्कुल वेग है। मैं कहना चाहता हूं कि बिल में कोई परपज सर्व नहीं होगा। दूसरी बात मैं कहना चाहता हूं कि कम्प्रीहैंसिव बिल की तरफ जो मैंने इशारा किया है तो पूरी तौर पर एक बिल ऐसा लाना चाहिए जो कि एक ओर तो सिनेमा कर्मी जो हैं कम पैसा पाने वाले उनकी सामाजिक सुरक्षा व्यवस्था पर हो उनके वेतन बढ़ाने पर हो दूसरी ओर जो कलाकार के नाम पर हीरो के नाम पर कमाते हैं उनकी कमाई पर कुछ अंकुश हो और जो ब्लैक मनी कमाते हैं 10 लाख लेते हैं और जो एक लाख या पचास हजार दिखाते हैं तो इस पर भी रोक लग, उस पैसे को ले लेना चाहिए। तीसरी बात मैं कहना चाहता हूं कि एक बिल ऐसा होना चाहिए जिसमें यह व्यवस्था होनी चाहिए कि सिनेमा अंधविश्वास फैलाने वाले न बनाए जायें। आजकल के 90 प्रतिशत सिनेमा अंधविश्वास फैलाने वाले बनाए जाते हैं। इस तरह से मैं चाहता हूं कि एक कम्प्रीहैंसिव बिल लाएं और उसमें सरकार पूरी तरह से स्पष्ट होकर आए।

उपसभाध्यक्ष (श्री हेच० हनुमनतप्पा) : आप कुछ रिएक्ट करेंगे मंत्री जी ?

SHRI AJIT PANJA: No, nothing.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): The question is:

"That the Bill be passed."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Now the House stands adjourned till 11.00 a.m. tomorrow.

The House then adjourned at sixteen minutes past six of the clock, till eleven of the clock on Tuesday, the 25th August 1987.